

State of Texas
Texas Racing Commission

Official Ruling # LSP3049

of the

Board of Stewards

LONE STAR PARK AT GRAND PRAIRIE

OWNER-TRAINER	KEENER, DEE	License #	142505
Ruling Date:	02/26/2015	Violation Date:	10/18/2014
Redistribute Purse:	Yes		

Rules Violated:

311.104	TRAINER/ABSOLUTE INSURER
319.3	DRUG POSITIVE OR PERMITTED MEDICATION VIOLATION
319.302	REASONABLE OVERSIGHT OF ANIMAL

Owner/Trainer Dee Allen Keener having been duly noticed, was represented by his attorney John Mac Hayes in a formal hearing before the Sam Houston Race Park Board of Stewards on 02/20/2015. Mr. Keener testified telephonically.

The horse "Cant Be Caught" trained by Dee A. Keener won the fifth race at Lone Star Park on 10/18/2014. Test sample #LS051261 taken from "Cant Be Caught" tested positive for the class 4 medication Budesonide at the Texas Veterinary Medical Diagnostic Laboratory. A split sample tested by the University of Florida Racing Laboratory confirmed the positive Budesonide finding.

In his testimony, Dee Allen Keener belatedly challenged the selection of the University of Florida from the list of four TxRC approved laboratories for the testing of split samples. Investigator Melvin Bell testified that he informed Mr. Keener that the other three listed laboratories were unable to meet the standards required for the testing of Budesonide. The University of Florida was the only approved laboratory able to analyze the split sample.

On 11/10/2014 Mr. Keener signed a Split Sample Request Form and on 12/03/2015 Travis D. Mullins representing Mr. Keener witnessed and approved, with no objection or complaint, the shipping of the split sample to the University of Florida. Mr. Keener provided a certified check in the amount of three thousand two hundred (\$3,200) dollars to cover the cost of shipping and testing of this sample and three others.

After considering all of the evidence and testimony presented in the hearing, the Sam Houston Race Park Board of Stewards hereby fines Dee A. Keener five hundred (\$500) dollars and suspends his TxRC license fifteen days (04/04/2015 through 04/18/2015) for the positive test indicated above.

Mitigating circumstances of four positives being confirmed at the same time permit all to be considered first violations. However, the multiple violations warrant the suspensions being served in succession.

During the term of this suspension Mr. Keener is denied access to all areas under the jurisdiction of the

By Order of the Board of Stewards

DAVID ROLLINSON

ANNE ALLEY

DENNIS SIDENER

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Texas Racing Commission. Entry of horses owned or trained by Mr. Keener is denied pending the sale or transfer to a party approved by the Board of Stewards.

The horse "Cant Be Caught" is disqualified from the fifth race at Lone Star Park on 10/18/2014 and the purse redistributed as follows. The fifth race at Lone Star Park On 10/18/14 was a trial heat for the Speedhorse Paint and Appaloosa Futurity. The disqualification in the trial heat warrants the Board of Stewards to declare the horse "Cant Be Caught" ineligible and disqualified for the Speedhorse Paint and Appaloosa Futurity finals, the ninth race at Lone Star Park on 11/08/14 with the purse redistributed as follows:

Fifth Race 10/18/14 at Lone Star Park

1. Gitter Dun Turnpike
 2. Cat Scratch Dash
 3. Traxxus
 4. PQH Princess Stefani
 5. Scuba Steve
 6. Furious Snow
 7. Easy Cash Fenimore
 - 8 Cookies N Cream Bok
- Unplaced: Cant be Caught
Mai Dashing Hero

Ninth Race 11/08/14 at Lone Star Park

1. Southern Snow
 2. Gitter Dun Turnpike
 3. Traxxus
 4. Cat Scratch Dash
 5. If Ur Buyn Im Flyn
 6. Cocked An Loaded
 7. Heavenly Rain
- Unplaced: Cant Be Caught
Texas Silk
Mai Dashing Hero

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Supplement # 1

03/10/2015

Effective March 5, 2015, the Commission received the appeal, bond and fine in this case. Executive Director Trout has denied the request for a stay.